



MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays, and Holidays)

RECEIVED

2024 JAN 08 AM 09:09
NANTUCKET TOWN CLERK
Posting Number:T 028

Committee/Board/s	TOWN COUNCIL STUDY COMMITTEE
Day, Date, and Time	WEDNESDAY, JANUARY 10, at 3:00PM until 4:30PM
Location / Address	MEETING TRAILER AT 131 PLEASANT STREET (Room B) AND REMOTE PARTICIPATION VIA ZOOM
Signature of Chair or Authorized Person	Joe Grause

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

Join Zoom Meeting

<https://us06web.zoom.us/j/82162381880?pwd=3GotkbrasNaauarfDdVepZdbSCRH45.1>

Meeting ID: 821 6238 1880

Passcode: 348008

- I. Call to Order
- II. Acceptance of Agenda
- III. The Town Council Study Committee Meeting is being recorded.
- IV. Approval of Minutes of December 20, 2023
- V. Public Comment
- VI. Discussion of Project Plan (in general)
- VII. Project Plan Item 2 - What Problem are we trying to solve?
- VIII. Do we need an outside Facilitator?
- IX. Discussion Regarding Agenda for Next Meeting
- X. Adjournment

Town Council Study Committee
December 20, 2023

1. The organizational meeting of the Town Council Study Committee was held in Meeting Trailer "A" on Wednesday, December 20, from 3:00 p.m. to 4:30 p.m. Attendance was in person and available on Zoom.
2. Attending in person were Acting Chair Tom Dixon (Select Board – ex officio); elected members Joe Grause, Caroline Baltzer, Curtis Barnes, Beau Barber, Kelly Steffen, Rachel Mandle, Jeff Carlson; and Jeremy Bloomer (alternate for Jill Vieth – Fin Comm – non voting). Attending via Zoom -- Donna Martino (ACNTV representative – non voting), Paula Suan – (ACNTV alternate – non voting), Hillary Rayport – guest.
3. Election of Officers. Joe Grause was elected Chair; Jeff Carlson elected as Vice Chair by unanimous consent.
4. It was agreed that the Committee should plan to meet every Wednesday every two weeks from 3:00 to 4:30 p.m. The next meetings are tentatively scheduled for Wednesday, January 10, and Wednesday, January 24 in Trailer A.
5. Free ranging discussion focused on two major areas: why consider change from the current form of Town government (Annual Town Meeting), and what alternate form of government would best serve the future needs of Nantucket?

It was noted that there are currently four basic forms of government organization in Massachusetts:

- Annual Town Meeting
- Representative Town Meeting
- Town Council/Manager
- Council/Mayor

The first three forms are available to Nantucket. The Town does not qualify for a Mayor/Council form of government due to population size/limitations.

6. Recognizing the need for wide ranging information for Nantucket residents in considering a change in the form of local government, it was emphasized that significant outreach efforts need to be made to all in the Nantucket community so that they can make well informed decisions if/when the question is brought to future Town Meeting.
7. With this in mind, it was agreed that it would be helpful to seek independent consultation from available resources – including the Mass. Municipal Assn., and the Collins Center at the University of Massachusetts. Jeff Carlson will contact the Collins Center to request their support assistance. Joe Grause will reach out to Michael Dutton, Town Manager of Bridgewater, as well.

The meeting was adjourned at 4:30 p.m.
Curtis Barnes

DRAFT
Town of Nantucket
Town Council Study Committee

Project Outline
January 4, 2023

Committee Purpose:

The Committee was established by the Select Board in compliance with Article 81 of the FY2023 Annual Town Meeting with the purpose of studying the establishment of a Town Council form of government for Nantucket with the following conditions.

1. The Town Council shall serve as the legislative body for the Town and County of Nantucket.
2. The Town Council shall employ a Town Manager to manage and implement policies and procedures approved by the Council.
3. The special committee shall consider any structural or administrative details of the Town Council, including but not limited to
 - a. The number of members of the Town Council.
 - b. How the Town Council might represent the voters of Nantucket.
 - c. The qualifications necessary to hold a seat on the Town Council.
 - d. The internal organization of the Town Council.
 - e. Compensation of Council Members; and
 - f. Any other characteristics of the structure and processes of the proposed Town Council as may be recommended.

Goal:

The special committee shall complete its work and submit an Article for either an Annual or Special Town Meeting which, if passed, may enable the transition to a Town Council structure. The timing of the submission is dependent on the execution of all necessary steps, including appointing the committee, public hearing and writing of the article. *(All taken from Article 81 of ATM FY2023.)*

Project Plan

Meeting #	Topics/Agenda/Goals
	1. Committee Education/Research a. Understanding Nantucket's current government structure; how does Nantucket operate? Roles/responsibilities of various parts of Town Government. b. What are the forms of government in the Commonwealth of Massachusetts? How do they differ? Pros and Cons? Statistics/characteristics of Towns using the four forms? c. What leads Towns to change form of government? d. Experience of other Town who have changed to a Town Council? What led to change? Hurdles?
	2. What problem are we attempting to solve? a. "Unpack" the issue. What are the shortcomings of Town Meeting? What are the benefits of a change? b. What will opponents of change claim about Town Meeting? c. What voters might be supportive of a change? Who might oppose it?
	3. Examine some recent conversions to Town Council a. Review the Town Charters? b. Functional similarities and differences? c. Process used? (Charter Commission or Special Legislation?) d. Is Town Council the appropriate solution here? What about Representative Town Meeting?
	4. Compose a new Town Council Charter for Nantucket a. Is there a recent conversion whose Charter we can copy/use? b. Does the Committee draft or should we use outside law firm? c. Discuss specific structural issues: i. Number of Councilors? ii. Terms? iii. Qualifications to hold a Council position? iv. How will Councilors represent the voters of the Town? v. Non-resident taxpayers? vi. Compensation? vii. Relationship to Town Manager? viii. Will Role and Responsibilities of Town Manager change? Other Town Employees? ix. Relationship of Town Council to other elected persons/entities? Planning Board, Land Bank, NP&EDC? Others? x. Other issues?

	5. Public Hearings a. Are they necessary? (Check with Town Counsel) b. How many? c. Gather input from voters. Survey?
	6. Compose Article for _____ Town Meeting
	7. PR/Marketing Plan to communicate benefits/reasons for change to Town Council a. Ongoing communication to voters b. Community outreach – visit with various influence groups. - c.
	8. Other Steps??

From: Hillary Hedges Rayport hrayport@mac.com 
Subject: TCSC research
Date: January 9, 2024 at 6:13 PM
To: JOE GRAUSE joe.grause@gmail.com

HR

Dear Joe:

Here is some of the information I collected when I spent some time over the break looking for anything I thought would be helpful or relevant to the Committee's work. Looking forward to discussing tomorrow.

Best,
Hillary

1. Collins Center of U Mass. Boston

- a. The Committee had a concern about the length and complexity of municipal RFP process: quoting from a Collins Center newsletter: "Working with the Collins Center is easy. As a state agency, the Collins Center is exempt from state procurement law (MGL Chapter 30B). Cities, towns, regions, and school districts may simply negotiate a scope of services and a price with the Center, saving both time and money. Similarly, Massachusetts state agencies may enter into Interagency Service Agreements with the Center."
- b. A brochure for the Collins Center can be downloaded [here](#).
- c. I found a few reports the Collins Center completed for other towns' Charter Committees, which give a feeling for the organization. These are:
 - Amesbury: June 2020. Amesbury has a Mayor/Council. CC made recommendations for charter clean ups and substantive policy discussion. This [16 page report](#) provides a sense of how CC could help with reviewing the Nantucket charter and making specific recommendations, drawing on their expertise and knowledge base of municipal government in Massachusetts.
 - Belmont: June 2022. Select Board retained CC to review financial organization structure. CC wrote an urgent report calling for revisions. Report can be found [here](#).
 - City of Cambridge March 2021 report on charter changes and form of government. 17 page report has useful background on approaches to charter changes and information relative to Cambridge. Report can be found [here](#).
 - Presentation for Williamstown [here](#) considering Open Town Meeting vs. Representative.

2. Information from other Towns (not a comprehensive list):

- a. I found the report from the Amherst Charter Commission to be especially well written, thoughtful, and interesting. They moved from a Representative Town Meeting to a Town Council after a 2017 study. The report has a lot of good analysis of the trade-offs and arguments for and against. The report can be read [here](#). Other documents from the 2017 charter commission can be found [here](#). It's been some time since the change, and a newspaper reports on how it is going [here](#). There are pro-growth and slow-growth PACs in Amherst. My impression is there are a lot of politics and some burnout among the councilors, which in a small community like Nantucket, could become an issue. But it's hard to say. Perhaps Nantucket could contact some members

of this charter commission to discuss.

- b. [Williamstown Charter Commission](#). Williamstown is too small to consider a Town Council so is examining Representative Town meeting as well as other features. The report is useful because it focuses on Town Meetings.
- c. Brookline has a 255 member representative Town Meeting which meets twice a year and manages a \$348M annual budget. It might be instructive to learn more about how they make this work. [Here](#) is a Town Meeting Member's guide to Brookline Town Meeting.

3. Annotated Bibliography

- a. I've attached an annotated bibliography based on searches of databases of scholarly research and other websites. Some of the key takeaways are:
 - Scholarly journal articles are useful for their review of aspects of legal frameworks of various Town Meeting and representative governments.
 - Open town meetings are typically attended by "older, married, locally-rooted, civically-minded homeowners who have known each other for a long time". "stacking" open town meetings was observed but there was no finding about the degree of the problem or if it actually influenced the vote.
 - Representative Town Meetings are not necessarily more representative. Expect that the people who run for election to Town Meeting will be older, married, white, more educated, long time resident home owners.
 - Representative governments don't perform any better or worse than direct democracies (in one measure of study)
 - There is active research on deliberative democracy and different approaches to direct democracies.
 - There are consulting firms that work to promote direct democracies in towns, cities, and corporations. These could be a resource for Nantucket.

4. Other observations: I think the Town Council committee will need to consider the report that the TGSC recently produced, because that committee is formed as a function of our bylaws. I thought the following excerpts were relevant:

- a. The committee recommended Nantucket hold two Town Meetings per year (semi-annual town meeting) but this was not adopted by the Select Board.
- b. The Committee requested a ballot question which returned as follows:

Non – Binding Ballot Questions:	
1. Are you satisfied with our current open town meeting form of government?	
887	YES ☒
788	NO ☐
Blanks	185
2. Would you like the Town to invest time and resources to investigate alternative forms of local government for further review?	
1102	YES ☒
593	NO ☐
Blanks	165

- c. The study committee commented about the form of government change as follows:
"While the Committee has taken the time to research these forms of Government, they have not yet arrived at a conclusion as to whether or not the Town of Nantucket needs to change their form of Government and, to that end, what that change would look like. A change of that significance would require a great deal of public support,

education, and careful consideration and planning. The form of Government is a passionate topic for voters and this Committee is cognizant of that fact. Because of this, the Committee can safely say that any change to the form of Town Government would need to be carefully analyzed and properly vetted before it could be effectuated.” Town Government Study Report p. 5.

bibliography.docx



bibliography

Salvino, Robert, Michael T. Tasto, and Geoffrey K. Turnbull. "A Direct Test of Direct Democracy: New England Town Meetings." *Applied Economics* 44, no. 18 (2012): 2393-402.

Abstract:

This highly technical article compares representative democracies to direct democracies by examining factors in New England towns and cities. It concludes that there are no differences in outcome across the two systems, relative to the factor investigated which is spending patterns in New England towns and cities vs. median voter hypothesis benchmarks. It concludes that horizontal competition arising from local fragmentation minimizes differences between direct and representative local government.

Parkinson, John, and Mansbridge, Jane J. *Deliberative Systems Deliberative Democracy at the Large Scale*. Theories of Institutional Design. Cambridge: Cambridge University Press, 2012.

Abstract: Deliberative democracy' is often dismissed as a set of small-scale, academic experiments. This volume seeks to demonstrate how the deliberative ideal can work as a theory of democracy on a larger scale. It provides a new way of thinking about democratic engagement across the spectrum of political action, from towns and villages to nation states, and from local networks to transnational, even global systems. Written by a team of the world's leading deliberative theorists, *Deliberative Systems* explains the principles of this new approach, which seeks ways of ensuring that a division of deliberative labour in a system nonetheless meets both deliberative and democratic norms. Rather than simply elaborating the theory, the contributors examine the problems of implementation in a real world of competing norms, competing institutions and competing powerful interests.

Rolheiser, Lyndsey, and Albert Saiz. "Is Participatory Democracy Representative? A Survey of Engaged Town Meeting Voters 1." *The New England Journal of Political Science* 12, no. 1 (2020): 30-66.

These researchers surveyed voters within the traditional direct democracy annual town meetings of Massachusetts to assess local representation. It concludes that older, married, locally-rooted, civically-minded homeowners who have known each other for a long time bear more power in municipalities where recurrent public meetings are used for municipal decision-making. Sixty percent of meeting attendees report having been present to the last five consecutive annual assemblies. This group of pivotal, faithful voters- representing only 1.2 percent of a towns adult population on average-has resided in town for 30 years, 12 years longer than occasional voters. Meeting regulars are more likely to participate in civic organizations, town committees, and volunteering activities.

Jenkins, Shannon, Douglas D Roscoe, and David Borges. "Voters in Representative Town Meeting Elections." *The New England Journal of Political Science* 9, no. 2 (2016): The New England Journal of Political Science, 2016, Vol.9 (2).

This study investigates representative town meeting governments. Like open town meeting, all residents can participate in debate at representative town meetings, but only elected representatives may vote. Past research suggests these communities

moved from open to representative town meeting because they believed it would make more informed decisions and better represent the general public. This study examines these assumptions using data from an exit poll in Dartmouth, Massachusetts. Our findings suggest that representative town meeting members are fairly well informed and connected to town politics, but they do not appear to be representative of the town population. The study also includes interesting information about elections for town meeting representatives. The study raises important questions about the quality of representation in representative town meeting communities in New England, where over one million people live in communities with representative town meeting governments.